

**VIRGINIA BOARD OF NURSING
MINUTES
January 27, 2010**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:02 A.M. on January 27, 2010 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

BOARD MEMBERS
PRESENT:

Lynne M. Cooper, Citizen Member, President
Patricia M. Selig, R.N., F.N.P., Ph.D., Vice President
Peregrin Francisco, R.N., M.S.A., Secretary
John M. Horn, L.P.N.
Florence Jones-Clarke, R.N., M.S.
Brenda L. Hale, R.N.,
Jeanne E. Holmes, Citizen Member
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.
Karen Schultz, Ph.D. M.B.A.
William Traynham, L.P.N.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant

STAFF ABSENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF
A QUORUM: With thirteen members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Elizabeth M. Rowe, C.N.A. 1401-110397

Ms. Rowe appeared, accompanied by attorney, John Greenside.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:14 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms.

Lindsay moved that Ms. Douglas, Ms. Power, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:30 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Mr. Traynham moved to accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Elizabeth Rowe.

The motion was seconded and carried. Ms. Cooper, Mr. Horn, Ms. Jones-Clarke, Ms. Holmes, Ms. Lane, Ms. Lindsay, Ms. Piersall, Dr. Schultz and Mr. Traynham were in favor of the motion. Ms. Francisco, Dr. Hahn, Ms. Hale and Dr. Selig opposed the motion.

Kathryn Walsh, R.N. 0001-153036

Ms. Walsh did not appear, but her attorney Kristi VanderLaan appeared on behalf of Ms. Walsh.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:34 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:39 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Holmes moved to modify the recommended decision of the agency subordinate to issue a reprimand to Kathryn Walsh and to indefinitely suspend the professional nursing license of Kathryn Walsh, but stay said suspension contingent upon Ms. Walsh's entry into the Health Practitioners Monitoring Program and thereafter remain in compliance with the terms and conditions of the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Mary Miller, R.N. 0001-193949

Ms. Miller appeared, accompanied by attorney Michael Goodman.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:46 A.M. for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:50 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved to accept the recommended decision of the agency subordinate to place Mary Miller on indefinite probation for a period of not less than two years of actual professional nursing practice with terms and conditions.
The motion was seconded and carried unanimously.

Nakia Grant, C.N.A. 1401-128975

Ms. Grant appeared.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:54 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:02 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved to modify the recommended decision of the agency subordinate to accept the findings of fact and conclusions of law, but impose no sanction against Nakia Grant.
The motion was seconded and carried. Dr. Hahn, Ms. Hale, Mr. Horn, Ms. Jones-Clarke, Ms. Holmes, Ms. Lane, Ms. Lindsay, Ms. Piersall, Dr. Selig and Mr.

Traynham were in favor of the motion. Ms. Cooper, Ms. Francisco, and Dr. Schultz opposed the motion.

Tyqunia Bell, C.N.A. 1401-127517

Ms. Bell did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Tyqunia Bell with a finding of abuse and neglect.

The motion was seconded and carried unanimously.

Wendy Burzanko, C.N.A. 1401-103257

Ms. Burzanko did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Wendy Burzanko with a finding of abuse.

The motion was seconded and carried unanimously.

Tonya S. Coles, C.N.A. 1401-108314

Ms. Coles did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Tonya Coles with a finding of abuse.

The motion was seconded and carried unanimously.

Breana Daniel, C.N.A 1401-124214

Ms. Daniel did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Breana Daniel with a finding of abuse.

The motion was seconded and carried unanimously.

Brandon D. Light, C.N.A. 1401-125905

Mr. Light did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Brandon Light.

The motion was seconded and carried unanimously.

Wayne W. Collins, C.N.A. 1401-016484

Mr. Collins did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Wayne Collins with a finding of abuse.

The motion was seconded and carried unanimously.

Sharon Dillard, C.N.A. 1401-050457

Ms. Dillard did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinite suspend the nurse aide certificate of Sharon Dillard until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Krystal N. Martinez, C.N.A. 1401-127989

Ms. Martinez did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Krystal Martinez with a finding of misappropriation of patient property.
The motion was seconded and carried unanimously.

Crystal D. Smith, C.N.A. 1401-114937

Ms. Smith did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Crystal Smith.
The motion was seconded and carried unanimously.

Sarah Marie Wright, R.N. 0001-198198

Ms. Wright did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Sarah Wright with said suspension to be stayed contingent upon Ms. Wright's entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Susan Miller, R.N. 0001-164766

Ms. Miller did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Susan Miller.
The motion was seconded and carried unanimously.

Pamela Croswell, R.N. 0001-136695

Ms. Croswell did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Pamela Croswell with said suspension stayed contingent upon Ms. Croswell's entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the terms and conditions of the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Marivic Guillen, R.N. 0001-139948

Ms. Guillen did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the multistate privilege of Marivic Guillen to practice professional nursing in Virginia, with the privilege to practice in Virginia to be reinstated upon payment of a \$250.00 monetary penalty. The motion was seconded and carried unanimously.

John Zierden, R.N. 0001-217137

Mr. Zierden did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against John Zierden contingent upon his continued compliance with the terms and conditions of the Oregon Nurse Monitoring Program as evidenced by the submission of quarterly self-reports and submission of quarterly reports of proof of his continued compliance to be received directly from the Oregon Nurse Monitoring Program. The motion was seconded and carried unanimously.

Denise Parr, L.P.N. 0002-055263

Ms. Parr did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Denise Parr. The motion was seconded and carried unanimously.

Sheri Mullins (Waid), L.P.N. 0002-074075; C.N.A. 1401-089825

Ms. Mullins did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Sheri Mullins and to indefinitely suspend the right to renew Ms. Mullins (Waid)'s certificate to practice as nurse aide until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

Melinda Burford, L.P.N. 0002-071968

Ms. Burford did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Melinda Burford for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

Joshua L. Hendershot, L.P.N. 0002-067517

Mr. Hendershot did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Joshua Hendershot for a period of not less than two years and until such time as he can appear before the Board and provide sufficient evidence that he is safe and competent to practice.

The motion was seconded and carried unanimously.

Margaret G. Gunnoe, L.P.N. 0002-048481

Ms. Gunnoe did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Margaret Gunnoe and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Reannan N. McCall, L.P.N. 0002-067326

Ms. McCall did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Reannan McCall and to indefinitely suspend the right to renew her practical nursing license for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Conchita S. Mitchiner, L.P.N. 0002-042938

Ms. Mitchiner did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Ms. Mitchiner on probation for 12 months of actual nursing practice with terms and conditions.

The motion was seconded and carried unanimously.

Rebekah Smith Kool, R.N. 0001-200175

Ms. Kool did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Rebekah Kool contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the terms and conditions of the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Donna Barker, L.P.N. 0002-018294

Ms. Barker did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of

Donna Barker until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

Tracy Matthews, L.P.N. 0002-052606

Ms. Matthews did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Tracy Matthews contingent upon her continued compliance with the terms and conditions of the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Patricia Blevins, L.P.N. 0002-066274

Ms. Blevins did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Patricia Blevins until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Summer B. Lane, L.P.N. 0002-074569

Ms. Lane did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Summer Lane for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Julie Jones, L.P.N. 0002-065978

Ms. Jones did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Julie Jones for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Charlene M. Moore, L.P.N. 0002-067543

Ms. Moore did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Charlene Moore.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:15 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms.

Lindsay moved that Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:20 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Brandi Bello, R.N. 0001-203713

Ms. Bello did not appear.

Ms. Francisco moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Brandi Bello contingent upon her continued compliance with the terms and conditions of the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Angela Meadwell, R.N. 0001-120178

Ms. Meadwell did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Angela Meadwell contingent on her continued compliance with the terms and conditions of the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Alexandra V. Prosser, R.N. 0001-209611

Ms. Prosser did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to accept the findings of fact and conclusions of law and require Ms. Prosser complete the National Council of State Boards of Nursing online course “Respecting Professional Boundaries” within sixty days of entry of the order.

The motion was seconded and carried. Dr. Hahn, Ms. Hale, Dr. Selig, Dr. Schultz, Ms. Lane, Mr. Horn and Mr. Traynham were in favor of the motion. Ms. Jones-Clarke, Ms. Cooper, Ms. Francisco, Ms. Piersall, and Ms. Holmes opposed the motion. Ms. Lindsay abstained from voting.

Erin Estep, R.N. 0001-217887; L.P.N. 0002-035854

Ms. Estep did not appear.

Ms. Piersall moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Erin Estep and require she complete the National Council of State Boards of Nursing online course “Ethics in Nursing

Practice” and view the NCSBN video “Crossing the Line” at the Board office within 45 days from the date the order is entered.

The motion was seconded and carried unanimously.

Amanda Pullen, L.P.N. 0002-057678

Ms. Pullen did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Amanda Pullen for a period of not less than one year and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Mindee Cunningham, R.N. 0001-185464

Ms. Cunningham did not appear.

Mr. Horn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Mindee Cunningham and require that Ms. Cunningham remain in compliance with the terms and conditions of the recovery monitoring contract with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Amy Potter, R.N. 0001-162790

Ms. Potter did not appear.

Ms. Lindsay moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Amy Potter until such time as she submits to a mental health evaluation and it is considered for formal disposition at an informal conference by a Special Conference Committee of the Board of Nursing.

The motion was seconded and carried. Ms. Cooper, Ms. Francisco, Mr. Horn, Ms. Hale, Ms. Holmes, Dr. Hahn, Ms. Lane, Ms. Lindsay, Ms. Piersall, Dr. Schultz and Mr. Traynham were in favor of the motion. Ms. Jones-Clarke and Dr. Selig opposed the motion.

Monique Duret, R.N. 0001-153978

Ms. Duret did not appear.

Ms. Jones-Clarke moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Monique Duret, with said suspension to be stayed upon entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the terms of the Health Practitioners Monitoring Program.

The motion was seconded and carried. Dr. Selig, Ms. Francisco, Ms. Jones-Clarke, Ms. Hale, Ms. Holmes, Dr. Hahn, Ms. Lane, Ms. Lindsay and Dr. Schultz were in favor of the motion. Ms. Piersall, Mr. Traynham, Ms. Cooper and Mr. Horn opposed the motion.

Gwendolyn Conner, R.N. 0001-086013

Ms. Conner did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to make findings of fact and conclusions of law and impose no sanction against Gwendolyn Conner.

The motion was seconded and carried. Ms. Cooper, Ms. Francisco, Mr. Horn, Ms. Hale, Ms. Holmes, Dr. Hahn, Ms. Piersall, Dr. Schultz and Mr. Traynham Dr. Selig were in favor of the motion. Ms. Jones-Clarke and Ms. Lane and Ms. Lindsay opposed the motion.

ADJOURNMENT:

The meeting was adjourned at 11:20 A.M.

Peregrin Francisco, R.N., M.S.A.
Secretary

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 27, 2010
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:45 A.M. on January 27, 2010 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D. Vice President
Peregrin Francisco, R.N., M.S.A.
Brenda Hale, R.N.
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director
Jane Elliott, R.N., PhD, Discipline Staff (joined later)
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With six members of the Board present, a quorum was established.

FORMAL HEARINGS: **Crystal Wilson, L.P.N. 0002-060133**
Ms. Wilson did not appear.

Amanda Mitchell, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Sandra Barton, Senior Investigator, Department of Health Professions; Audrey Clausing, L.N.H.A., Grace Healthcare of Abingdon; and Tonya James, Compliance Case Manager, Board of Nursing were present and testified.

Dr. Elliott joined the meeting.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:15 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Wilson. Additionally, Ms. Lindsay moved that Ms. Power, Dr. Elliott, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:25 P.M. to address the issue of notice.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Mitchell presented additional information regarding Ms. Wilson receiving notice.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:29 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Wilson. Additionally, Ms. Lindsay moved that Ms. Power, Dr. Elliott, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:45 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Hale moved that the Board of Nursing indefinitely suspend the practical nursing license of Crystal Wilson for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 12:45 P.M.

RECONVENTION: The Board reconvened at 1:35 P.M.

FORMAL HEARINGS: **Michelle R. Pride, L.P.N. 0002-072670**

Ms. Pride appeared, accompanied by her mother, Susan Pride and her boyfriend, Nathan Symons.

Amanda Mitchell, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Naima Fellers, Senior Investigator, Department of Health Professions; Cathy Kagarise, Human Resources Director, Winchester Medical Center; Sheila Hill, R.N., Winchester Medical Center; Susan Pride, and Nathan Symons were present and testified.

RECESS: The Board recessed at 2:25 P.M.

RECONVENTION: The Board reconvened at 2:30 P.M.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:25 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Pride. Additionally, Ms. Lindsay moved that Ms. Power, Dr. Elliott, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:05 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Hale moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Piersall moved that the Board of Nursing reprimand Michelle Pride and order Ms. Pride be evaluated by a board approved mental health and substance abuse specialist with a written report of the evaluation including a diagnosis, recommended course of therapy and prognosis to be sent to the Board within 45 days of entry of the order for further review and final disposition.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS: **Richard W. Thomas, L.P.N. 0002-047930**
Mr. Thomas did not appear.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Martha Miller, Senior Investigator, Department of Health Professions; and Martha Ann Spruill, Senior Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:30 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Thomas. Additionally, Ms. Lindsay moved that Ms. Power, Dr. Elliott, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:35 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Hale moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing indefinitely suspend the right to renew the practical nursing license of Richard Thomas for a period of not less than two years and until such time as he can appear before the Board and provide sufficient evidence that he is safe and competent to practice.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 4:15 P.M.

Jodi P. Power, R.N., J.D.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 27, 2010
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:05 P.M. on January 27, 2010 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS
PRESENT:

Lynne M. Cooper, Citizen Member, President
Joyce A. Hahn, Ph.D., APRN, NEA-BC
Jeanne Holmes, Citizen Member
John M. Horn, L.P.N.
Florence Jones-Clarke, R.N., M.S.
Karen K. Schultz, Ph.D., M.B.A., Citizen Member
William Traynham, L.P.N.

STAFF PRESENT:

Jay P. Douglas, R.N. M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Amy Davis, Administrative Assistant

OTHERS PRESENT:

Ishneila Moore, Assistant Attorney General

ESTABLISHMENT OF
A QUORUM:

With seven members of the Board present, a quorum was established.

FORMAL HEARINGS:

Julia A. Morrison, R.N. 0001-152519
Ms. Morrison did not appear.

Cynthia Gaines, represented the Commonwealth. Ms. Moore was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Tonya James, Compliance Manager, Department of Health Professions; Allan McDonald, Senior Investigator Department of Health Professions; Erica Huffman, R.N. were present and testified.

CLOSED MEETING:

Dr. Hahn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:45 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Morrison. Additionally, Dr. Hahn moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:10 P.M.

Dr. Hahn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Jones-Clarke moved that the Board of Nursing revoke the professional nursing license of Julia Morrison.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Michael A. Baker, C.N.A. Reinstatement Applicant 1401-115435

Mr. Baker appeared, accompanied by his wife, Mrs. Baker

Cynthia Gaines, represented the Commonwealth. Ms. Moore was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Loretta Hopson-Bush, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Dr. Hahn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:50 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Baker. Additionally, Dr. Hahn moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Ms. Moore attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:18 P.M.

Dr. Hahn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Dr. Hahn moved that the Board of Nursing reinstate the nurse aide certificate of Michael Baker.

The motion was seconded and carried. Ms. Jones-Clarke, Dr. Hahn, Ms. Holmes, Mr. Horn, and Mr. Traynham were in favor of the motion. Ms. Cooper and Dr. Schultz opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 3:20 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director